

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

BRIAN J. STRETCH (CABN 163973)
Chief, Criminal Division

TAREK J. HELOU (CABN 218225)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7071
Facsimile: (415) 436-7234
Tarek.J.Helou@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CR No. 07-764-SI
)	
Plaintiff,)	STIPULATION AND [PROPOSED] ORDER
)	EXCLUDING TIME UNDER 18 U.S.C. § 3161
v.)	
)	
JUAN HERRERA-SANTOS,)	
)	
Defendant.)	
_____)	

On April 18, 2008, the parties in this case appeared before the Court and stipulated that time from April 18, 2008 through April 25, 2008 should be excluded from Speedy Trial Act calculations because both parties need adequate time to assess the status of the case in light of the Court's decision on the defendant's Motion to Dismiss. The parties represented to the Court that the length of the requested continuance was the reasonable amount of time necessary for effective preparation of defense counsel and government counsel, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agreed that the ends

1 of justice served by this continuance outweighed the best interests of the public and the
2 defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

3
4 SO STIPULATED:

5
6 JOSEPH P. RUSSONIELLO
United States Attorney

7
8 DATED: April 21, 2008

_____/s/
9 TAREK J. HELOU
Assistant United States Attorney

10
11 DATED: April 21, 2008

_____/s/
12 STEVEN KALAR
Attorney for Defendant JUAN HERRERA-SANTOS

13
14 As the Court found on April 18, 2008, and for the reasons stated above, the Court finds that
15 the ends of justice served by the requested continuance outweigh the best interests of the public
16 and the defendant in a speedy trial. The Court also finds that time from April 18, 2008 through
17 April 25, 2008 shall be excluded from Speedy Trial Act calculations for effective preparation of
18 counsel. 18 U.S.C. § 3161(h)(8)(A). Failing to grant the requested continuance would deny
19 counsel reasonable time necessary for effective preparation, taking into account the exercise of
20 due diligence, and would result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(B)(iv).

21
22 SO ORDERED.

23
24 DATED: _____

25 THE HONORABLE SUSAN ILLSTON
United States District Judge